HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

WRIT PETITION NO.912 OF 2006

PETITIONER

1. Lokmanya Sahakari Grih Nirman Sanstha Maryadit – Having its office at Gol Chowk, Rohinipuram, Raipur (Chhattisgarh) – Through its Director , Kamlakar Kusre, R/o. Tatyapara, Raipur (Chhattsgarh.)

Versus

RESPONDENT

1. State of Chhattisgarh – Through the Secretary, Co-operative Department, DKS Bhawan, Raipur (C.G.)
2. In-Charge Officer, Lokmanya Sahakari Grih Norman Sanstha Maryadit, Raipur (CG)
3. The Sub Divisional Magistrate, Raipur (CG).
4. Superintendent of Police, Raipur District – Raipur (CG)
5. Station House Officer, PS Deendayal Upadhyay Nagar, Raipur (CG)
6. Shri Anil Dhurandhar S/o. Late Shri Mahendra Kumar Dhurandhar, R/o. Azad Chowk, Raipur (CG)

Present: Mr. P. Diwakar, learned Sr. Counsel with Mr. P.R. Patankar, learned counsel for the petitioner.

Mr. Yashwant Singh, learned Govt. Adv., for the State of Chhattisgarh.

ORAL ORDER
(Passed on 27th February, 2006)

The crux of the grievance in this writ petition is that despite the order of the Sub Divisional Officer, Raipur passed under Section 145 of Cr. P.C. with regard to the land khrasa No.138, the respondent-State Authorities under the influence of the 6th respondent have not taken appropriate steps to implement the order passed by the Sub Divisional Officer, Raipur. So alleging, the petitioner has sought for a direction to

the 6th respondent not to interfere with the subject property and also for a direction to the respondents to comply with the order passed by the Sub Divisional Officer, Raipur. The jurisdiction of this Court under Article 226 of the Constitution cannot be equated to the jurisdiction of the Civil Court to grant injunctive relief. Furthermore, it needs to be noticed that if the order made by the Sub Divisional Officer, Raipur is not complied with by the authorities who are duty bound to implement the order, the same may be brought to the notice of the Sub Divisional Officer, Raipur to take appropriate further action in the matter. In that view of the matter, I am not inclined to entertain this writ petition and it is accordingly dismissed.

Sd/-
Chief Justice

Brijesh